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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

PRESIDING OFFICER'S
RULING NO. R2001-1/10

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001

Postal Rate and Fee Changes

Docket No. R2001-1

PRESIDING OFFICER'S RULING
GRANTING WAIVERS REGARDING LIBRARY REFERENCES

(Issued November 15, 2001)

In four motions, filed concurrently with its request for a Recommended Decision, the Postal Service seeks waiver of the Commission's rules concerning four categories of library references, namely, Category 1 (Reporting Systems Material), Category 2 (Witness Foundational Material), Category 3 (Reference Material), and Category 5 (Disassociated Material).¹ In addition, the Postal Service submitted a master list of library references, identifying each library reference, by category, included in its filing.²

The Postal Service designated 29 Category 1 Library References, consisting of materials relating to its various data reporting systems, *e.g.*, FY 2000 Cost and Revenue Analysis, In-Office Cost System documentation, Revenue, Pieces, and Weight

¹ See Motion of the United States Postal Service Requesting Waiver of the Commission Rules with Respect to Category 1 Library References, September 24, 2001 ("Motion re Category 1"); Motion of the United States Postal Service Requesting Waiver of the Commission Rules with Respect to Category 2 Library References, September 24, 2001 ("Motion re Category 2"); Motion of the United States Postal Service Requesting Waiver of the Commission Rules with Respect to Category 3 Library References, September 24, 2001 ("Motion re Category 3"); and Notice of the United States Postal Service Concerning Provision of Information Pursuant to Commission Rule 54(a)(1), and Motion Requesting Waiver of the Commission Rules with Respect to Category 5 Library References, September 24, 2001 ("Motion re Category 5").

² See Notice of the United States Postal Service of Filing of Master List of Library References, September 24, 2001. The Notice indicates that its filing contains no Category 4 or Category 6 Library References.

System reports, and FY 2000 billing determinants. It identified 84 Category 2 Library References, consisting of foundational material relating to the testimony of specific witnesses, including material such as base year and roll forward input data and various cost studies concerning weight, shape, transportation and processing. The Postal Service filed six Category 3 Library References, consisting of reference material, *e.g.*, the FY 2000 Household Diary Study, and domestic mail volume, revenue, and rate histories. Finally, the Postal Service filed 15 Category 5 Library References, Disassociated Materials, consisting of alternate cost data and models using Commission-approved methodologies.

The Postal Service's motions share a common request for relief and format. In each the Postal Service requests a waiver of Rule 31(b)(2) "to the extent it could be argued that its filing does not actually or substantially comply with all of the [Rule's] requirements."³ The format, too, is generally similar, albeit tailored for each category as necessary. In that regard, the Postal Service: (a) addresses the purposes of the relatively recent revisions to Rule 31(b)(2),⁴ (b) provides some historical perspective on the practice,⁵ and (c) explains why its filing complies with or otherwise justifies waiver of specific subsections of Rule 31(b)(2).⁶

No participant opposes the requested waivers. The Postal Service's motions are granted. The Service has done a commendable job not only preparing the library references, but also complying with the Commission's rules. To that end, the Postal Service has responded appropriately to concerns expressed by the Presiding Officer in

³ Motion re Category 1 at 3; and Motion re Category 2 at 6; Motion re Category 3 at 1-2, and Motion re Category 5 at 4.

⁴ Motion re Category 1 at 3-4; and Motion re Category 2 at 6; Motion re Category 3 at 2, and Motion re Category 5 at 4-5.

⁵ See Motion re Category 1 at 4-6; and Motion re Category 2 at 7-8; Motion re Category 3 at 2, and Motion re Category 5 at 5-6.

⁶ Motion re Category 1 at 4-8; and Motion re Category 2 at 6-10; Motion re Category 3 at 3-4, and Motion re Category 5 at 5-7.

Docket No. R2000-1 regarding its compliance with the Commission's rules. See, e.g., Motion re Category 1 at 6.

The Postal Service notes that in Docket No. R2000-1 each of its Category 2 Library References was sponsored into evidence by a witness.⁷ Appropriately, for this proceeding, its testimony was prepared anticipating the continuation of this practice.⁸ The Postal Service's supposition is correct; that practice will be employed in this proceeding. See POR R2000-1/13, March 14, 2000 at 6-9 for the rationale, adopted herein, supporting this practice.⁹

RULING

1. The Motion of the United States Postal Service Requesting Waiver of the Commission Rules with Respect to Category 1 Library References, September 24, 2001 is granted.
2. The Motion of the United States Postal Service Requesting Waiver of the Commission Rules with Respect to Category 2 Library References, September 24, 2001 is granted.
3. The Motion of the United States Postal Service Requesting Waiver of the Commission Rules with Respect to Category 3 Library References, September 24, 2001 is granted.

⁷ Motion re Category 2 at 7-8

⁸ *Ibid.*

⁹ The Postal Service identifies 84 Category 2 Library References, listing the witness, or in some cases the witnesses, associated with each. Helpfully, the testimony of each witness identifies the associated library references or portions thereof sponsored by that witness. Witness Tayman, along with witness Meehan, is identified in connection with USPS-LR-J-8. Witness Tayman's testimony, however, makes no reference to this library reference. The Postal Service should clarify the portion, if any, of USPS-LR-J-8 sponsored by witness Tayman.

4. The Motion Requesting Waiver of the Commission Rules with Respect to Category 5 Library References, September 24, 2001 is granted.
5. The Postal Service should clarify the portion, if any, of USPS-LR-J-8 sponsored by witness Tayman.


George Omas
Presiding Officer